



MONTANA

DNRC Conversation

A Newsletter of the Department of Natural Resources and Conservation • Director Bud Clinch

Volume 1 • Number 2 • September 1995

MESSAGE FROM THE DIRECTOR

Director Bud Clinch

"Our concern is our ability to provide the best services practicable to the citizens of Montana."

By now most of you are aware that the "Space Wars" issue has been settled by Governor Racicot. Headquarters of the Department of Natural Resources and Conservation will be split between the USF&G Building in the Capitol complex and the area of the New York Store in downtown Helena. While the outcome is not as I would have liked, the decision has been made, and we must now work toward making the best of the situation.

It is unfortunate that the view many of the public likely received from local newspaper articles concerning DNRC employees and relocation is not very flattering. I, however, do not share that view because I know that the concern most DNRC employees were trying to express regarding relocation is their ability to continue to provide quality service to the public. It is this message that I believe should have been better expressed to the public.

While we are all interested in having suitable office space in which to work, our reasoning extends beyond mere selfishness. Our concern is our ability to provide the best services practicable to the citizens of Montana. For this reason, I am confident that, regardless of where our desks are located, each of you will continue to do your best to service your programs and the people of Montana.

I have reviewed various options for program/division location. As you can imagine, there is a myriad of options up to and including the possibility of moving every single DNRC employee. After evaluating the costs and benefits of the alternatives, I have cho-

sen to locate the Water Resources Division in the downtown New York Store location. Consequently, the other DNRC operations that are now situated in the Metcalf Building (Conservation and Resource Development Division, Reserved Water Rights Compact Commission, and parts of both the Oil and Gas Conservation Division and the Central Management Division) will be relocated to the USF&G facility.

Obviously, numerous details are yet to be worked out. I will keep you informed on our schedule of implementation, and I look forward to everyone's continued cooperation.



Director Bud Clinch

Photo by Jim Bond

A Loss

Ruth Haun, an accounting technician in our Central Management Division, was tragically killed in an automobile accident in Helena the night of September 20. Ruth began working for the Department of State Lands in 1978 as an administrative assistant and had served in the position of cashier for most of her career, since 1986.

Ruth did an excellent job as cashier and had previously been recognized for her performance. She will be missed by all who knew her.

PERSONNEL PROFILE

CHIEF LEGAL COUNSEL DON MACINTYRE

Donald D. "Don" MacIntyre heads up the department's Legal Staff. Don began working as an attorney for DNRC in 1973 and has served as chief legal counsel since 1978.

An Anaconda native raised in Butte, Don holds a B.S. degree in engineering science from Montana Tech and a J.D. in law from the University of Montana (UM) School of Law. In 1987, Don completed a LL.M. (master of laws) program in agricultural law at the University of Arkansas. He is an adjunct professor of law at UM, teaching classes in water and environmental law, and has also taught continuing legal education (CLE) courses as a faculty member or lecturer for over 20 years.

Don has been active in the Montana Bar Association, both as a trustee and as chairman

of the board. He is now president-elect of that professional organization and will serve as its president in 1996-1997.

Don has published several papers dealing with water-related subjects, including the prior appropriation doctrine, the adjudication of water rights in Montana, Indian reserved rights, and water options relative to energy development in the Yellowstone River basin.

Married and the father of three children, Don is involved in various youth development and youth sports groups. And, if you keep your eyes open, you may see him in his black-and-white striped shirt, refereeing basketball games!

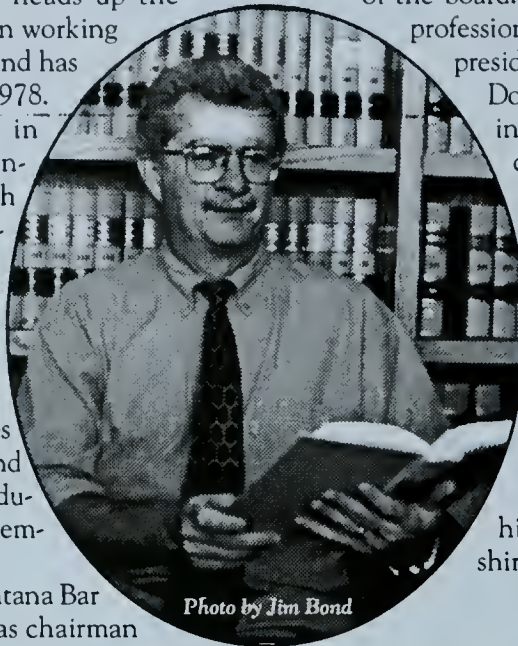


Photo by Jim Bond

LEGAL BEAGLES

"... a highly talented and professional group ..."

The DNRC Legal Staff, consisting of six lawyers and two support staff, represents a mingling of legal talent from the old DNRC and the former DSL. Among its varied responsibilities, it has been chosen by the Governor's Office to be the lead agency in litigation protecting Montana's interests in both the Missouri and the Columbia river systems.

As chief legal counsel, Don MacIntyre (see related "Personnel Profile" article) oversees the Legal Staff. He works with all aspects of the Water Resources Division and the Conservation and Resource Development Division, especially conservation districts. Don will be developing his expertise in matters of forestry and trust land administration. He is involved in the day-to-day operations of department programs and personnel matters.

Tim D. Hall graduated from the University of Montana School of Law in 1979. He worked as a law clerk

for the late U.S. District Judge William J. Jameson in Billings, where he also engaged in a private practice for over two years. Tim joined DNRC in 1982. As senior staff attorney, Tim works primarily on water permitting and enforcement, water rights adjudication, interstate river disputes, and grazing district matters.

Tommy H. Butler is the lead trust lands attorney for the department. A 10-year veteran of DSL, Tommy's main expertise is in mineral law. He has also litigated cases regarding forestry, agriculture, grazing, and the Montana Environmental Policy Act (MEPA). Tommy has a B.S. in zoology and a M.S. in psychology, both from Montana State University. He received a J.D. from the University of Tulsa in 1983. Tommy has worked as a seasonal ranger for the National Park Service in Glacier National Park and was associated with a private law firm in Helena before joining state government.

Richard R. "Dick" Thweatt received a B.A. in economics from the University of Oklahoma in 1973 and a J.D. from the same school's College of Law in 1982. He then moved to Montana and maintained a private practice in Helena until joining the DSL legal staff in

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1986. Dick has developed an expertise in forestry law, including timber sales and forest practices, environmental law, and other areas of trust land administration.

Fred W. Robinson worked for the Energy Division of DNRC before deciding to go back to school for a law degree. He holds a master's degree in fisheries biology from the University of Arizona and a J.D. from the University of Denver School of Law, where he graduated in 1985. Fred specializes in new water rights, changes in water rights, and water reservations. He also provides legal assistance to the loan and grant programs of the Conservation and Resource Development Division.

Anne W. Yates is the most recent addition to the legal staff. She began working for the department this spring and concentrates on state water projects and water rights adjudication. A 1989 graduate of the North Carolina School of Law, Anne earned a master's degree in environmental law from the George Washington University National Law Center in 1995 while maintaining a private practice in Washington, D.C.

Patricia J. "Patty" Greene is the legal secretary/administrative assistant for the Legal Staff. Born in Washington, D.C., and raised in Maryland, Patty moved to Montana in 1974. She worked for the university system in Missoula before joining the DNRC Water Re-

sources Division in 1981. She has been with the Legal Staff since 1990.

Sharry Beaupeurt provides secretarial and phone support to the Legal Staff. A Kansas native, Sharry has lived in Helena since 1978. She began employment with DSL in June 1994, bringing with her work experience gained in private law offices.



Photo by Jim Bond

LEFT TO RIGHT: Dick Thweatt, Anne Yates, Fred Robinson, Patty Greene, Sharry Beaupeurt, Don MacIntyre, Tim Hall, and Tommy Butler

According to Don MacIntyre:

"As a result of reorganization, our state is fortunate to have a highly talented and professional group to help shepherd the management of Montana's natural resources into the next century."

DNRC MISSION STATEMENT

Mission statements can be extremely important in a well-managed governmental organization. Unlike a private corporation, government typically doesn't have a "bottom line" to provide the focus for its efforts. Determining what an agency should or should not be doing often depends on the expressed mission of the organization.

A mission statement answers these questions:

- Who are we?
- What do we do?
- What results do we want to achieve?

From the mission statement flow the goals that define the direction the agency will take and the results it expects.

DNRC will soon have the opportunity to define its mission.

Twenty-five employees selected from all divisions will spend a day in Helena trying to reach a consensus on why the department exists and how everyone contributes. The group will meet at the Lewis and Clark Public Library on September 29 to develop a draft mission statement. This draft will then be distributed for employee comment as well as review by the DNRC/DEQ Reorganization Public Oversight Committee. If all proceeds according to plan, a final mission statement should be adopted by the first of November.

MEETING OF REGIONAL MANAGERS

According to Director Bud Clinch, one goal of the Governor's Task Force to Renew State Government was to consolidate the approximately 45 existing land and water field offices into regional offices. DNRC maintains more than one office in each of these communities:

- Billings
- Havre
- Kalispell
- Miles City
- Roundup
- Bozeman
- Helena
- Lewistown
- Missoula

Regional managers from DNRC's Water Resources, Conservation and Resource Development, Forestry, and Trust Land Management Divisions met in Helena for the first time on August 29. The meeting allowed the

regional managers to become acquainted with each other and with various DNRC programs, better understand the goals and objectives of reorganization, and identify issues of mutual concern.

The primary issue discussed by the group was consolidating existing field offices to allow better use of department staff and equipment. The group identified 67 concerns and assigned priorities for future action. High on the list were the need for input from local staff, having the opportunity to work out the best solution, identification of the potential for sharing resources, authority to act quickly during narrow windows of opportunity, improving customer service, and keeping costs within a reasonable level.

After suggestions from the meeting are reviewed, a department policy statement will be developed regarding consolidation or co-location of field offices.

PERSONNEL POLICY UPDATE

When the new DNRC came into existence on July 1, 1995, Director Bud Clinch adopted DNRC Interim Policy # 1, which allowed for the continuation of existing policies during reorganization. Since that time, Personnel Officer Gary Willis has been reviewing the old policies and providing drafts of proposed new policies to the DNRC Leadership Team.

Some of the policies in the former DSL and the old DNRC were very similar and required few modifications; others applied to one agency only and now must be carried forward into the new DNRC. After a period of review by the Leadership Team, several of the policies falling into these categories were adopted with minor changes:

- DNRC Policy # 3-0620 - Sexual Harassment Policy
- DNRC Policy # 3-0005 - Volunteer Policy
- DNRC Policy # 3-0101 - Procedures for Establishing Personnel Policy
- DNRC Policy # 3-0008 - Work Place Smoking Policy (both the USF&G and the Metcalf Buildings remain designated non-smoking facilities)

*DNRC Policy # 3-0007 - Telephone Use Policy

Copies of these policies will be posted and distributed to supervisors who normally have copies of the *DNRC Policy Manual*. Interested employees can also contact Gary Willis.

Other existing policies either require more work to meld into a new agency policy or simply were outdated in both agencies and need to be rewritten. A rewritten version of one of them, DNRC Policy # 3-0165 - **Recruitment and Selection Policy**, is currently being reviewed by the Leadership Team. Comments were to be submitted by September 21 to Gary Willis for consolidation.

Also, our exempt and non-exempt (covered) compensatory time policies will be redrafted. The new policy will be similar to the one already familiar to employees from the former DSL; employees from the old DNRC will find a more liberal view of which employees qualify as exempt. (See the "Leadership Team Meetings" article on page 6 for additional information.)

REORGANIZATION OVERSIGHT COMMITTEE

Members of the DNRC/DEQ Reorganization Public Oversight Committee met with Directors Bud Clinch and Mark Simonich for the first time on Friday, September 8. In the morning the group discussed the role of the committee and the current organizational structure of both departments. Nancy Moore-Hope, a consultant from Kalispell, facilitated the discussions. In the afternoon the committee provided valuable feedback on the draft DEQ mission statement, which had recently been developed by DEQ employees. Throughout the day committee members were encouraged to jot down questions concerning reorganization that they would like to address.

The next meeting is scheduled for October 12 and 13 in Helena. During that meeting the committee will review the draft DNRC mission statement and discuss organizational structures proposed for both departments.

In preparation for the meeting, committee members were asked to consider these questions.

- *What programs are related in such a way that they ought to be part of the same division? What programs should be organizationally separate?*
- *What about span of control and complexity of issues? How do these affect a recommended organizational structure?*
- *From a knowledgeable citizen's perspective, how can we organize the programs so that access to resources and the decision-making process makes sense?*
- *What opportunities do we want to capitalize on through reorganization?*

Director Clinch felt that the meeting was a good start and that the committee will serve well in helping DNRC implement its natural resources reorganization.

DNRC RELOCATION

Governor Racicot recently ended the speculation concerning the future location of reorganized state agencies. In supporting the Department of Administration's recommended Option A1, the governor cited that option's ability to best achieve the goals of executive branch reorganization as proposed by his administration and endorsed by the 1995 Legislature.

Plans call for the Director's Office, Central Management Division, Reserved Water Rights Compact Commission, and Helena employees of the Trust Land Management Division, Conservation and Resource Development Division, and Oil and Gas Conservation Division to consolidate in the USF&G Building. Helena employees of the Water Resources Division will relocate to the downtown sites presently under lease

to the Department of Public Health and Human Services (space presently occupied by the Department of Family Services and the Intergovernmental Human Services Bureau) and the Department of Commerce (the Montana Science and Technology Alliance). Planning for individual space considerations and support needs is underway.

Remodeling work has already begun on the upper floor of the USF&G Building to provide additional office space. While moves into this space could be completed this fall, other moves, such as into the New York Store, are not anticipated before next February. Most agencies are requesting sufficient time to complete remodeling and wiring requirements before employees actually move.

DNRC LEADERSHIP TEAM

Bud Clinch	
Director	444-2074
Don Artley	
Forestry Division	542-4300
Ray Beck	
Conservation and Resource Development Division	444-6671
Susan Cottingham	
Reserved Water Rights Compact Commission	444-6716
Gary Fritz	
Water Resources Division	444-6605
Jeff Hagener	
Trust Land Management Division	444-4978

Jeff Jahnke	
Southwest Area Land Office	542-4261
Bob Kuchenbrod	
Central Management Division	444-4981
Don MacIntyre	
Chief Legal Counsel	444-6713
Randy Mosley	
Special Assistant to Director	444-4979
Tom Richmond	
Oil and Gas Conservation Division	656-0040
Wayne Wetzel	
Deputy Director	444-6722

LEADERSHIP TEAM MEETINGS

At its meetings on August 10 and 31 and September 14, the DNRC Leadership Team continued to address issues associated with reorganization. Subjects included uniform implementation of the Fair Labor Standards Act (FLSA), adoption of various personnel policies, development of a department mission statement, implementation of a department Communications/Public Information Plan, preparation for the meeting of the DNRC/DEQ Reorganization Public Oversight Committee, and office space planning.

The reorganization requires DNRC to select and apply a consistent policy to comply with the provisions of the FLSA. At issue is the manner in which DNRC will apply statutory and regulatory exemptions for executive, administrative, and professional personnel. After a review of current federal regulations and recent court cases, the department's Legal Staff has recommended that DNRC grant exempt status in accordance with current U.S. Department of Labor regulations. A new DNRC policy will soon be drafted and circulated among the divisions for comment. Administrators will be working with Personnel Officer Gary Willis to identify which employees qualify for an exemption from the overtime provisions of the FLSA.

Another area of interest in reorganized agencies is communications and public information. In an August 24 memorandum requesting a stepped-up effort by agencies, Governor Racicot said:

"Our experience . . . has taught us a compelling practical lesson: those departments that make a genuine investment of time and informed effort to maximize the flow of timely information to the public about their operations, policies, and decisions are inevitably better understood and received in the public arena."

In response, the DNRC Information Services Section was directed to prepare a draft Communications/Public Information Plan that is now being reviewed by the divisions.

The next Leadership Team meeting is scheduled for October 5.

QUESTIONS & ANSWERS

Since publication of the first issue of *DNRCConversation*, the Newsletter Team (Wayne Wetzell, Randy Mosley, and Carole Massman) received seven questions -- two in writing, and five via telephone. Here are the answers.

Q: *Is there a possibility of getting a thumbnail sketch of each division's responsibilities along with the services each provides for the public?*

A: One of the ideas in the draft DNRC Communications/Public Information Plan is to develop a *DNRC Handbook* for distribution to the staff, other agencies, the media, and the public. The handbook would explain our organizational structure, issues, procedures, and whom to contact for various kinds of assistance. Options in this plan will soon be discussed with the divisions.

The *DNRCConversation* newsletter will also feature a different part of the department in each issue, beginning with this issue's look at the Legal Staff.

Q: *How do outlying folks reach Helena-based employees through E-Mail, especially those not previously part of the same department?*

A: Anyone who has ZipMail can send to anyone else with ZipMail, regardless of the location or department. ZipMail and EMC/TAO users have access to the zip directory. A person who does not have access to ZipMail but has access to the DNRC VAX cluster can send and receive through another employee who does have access.

Right now, field offices from the former DSL use WordPerfect Office E-Mail to communicate with other employees from the former DSL. To send a message to an employee from the old DNRC, either send the message direct via ZipMail or send the message to the Helena office where it can be forwarded.

Employees from the old DNRC, whether in field offices or in Helena, can send ZipMail messages directly to anyone listed in the ZipMail directory or, by forwarding through them, to any other employee.

The Information Technology Bureau is presently studying the feasibility of converting to a uniform E-Mail system throughout the department.

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Q: Your article said that the DNRC Personnel Directory will be organized by office location. Does that mean you know where people will be stationed? Also, will phone numbers follow people if we move to new offices? If not, isn't it a waste of time and money to put out a directory now?

A: The DNRC Personnel Directory was established to make it easier for DNRC employees to contact each other, regardless of location. It reflects locations that exist at the time of publication.

It is true that the directory will become outdated. The Glasgow field offices have recently relocated, and the Bozeman field offices are expected to co-locate in a new building in November. Addresses of many Helena employees will change as office space decisions are implemented, and the Department of Administration has not yet made a determination on the assignment of phone numbers for those employees.

Our intention is to update and reissue the directory periodically.

Q: Bob Kuchenbrod represents DNRC on the Office Space Planning Committee, but Bob comes from DSL and has never worked in the Metcalf Building. It would take someone who worked in the building to fully understand (a) its features, and (b) how it meets the needs of the DNRC staff who are stationed there. Yet, suggestions to appoint someone from the old DNRC to serve on the committee are met defensively. Why is there resistance to appointing one more person? What would it hurt?

A: At the onset of agency reorganization, the directors decided that they could not spend the time necessary to plan the details of office moves. Each delegated that responsibility to a member of his department. Most directors chose their Centralized Services Division Administrator for this task because of their experience and position. Limiting the size of the committee was deemed necessary to ensure that needed decisions would be made on time.

Q: Is there any room at the Department of Transportation Building near the interstate highway? Has that space been considered as an option for DEQ, or for anyone else? The building seems huge, and I've heard that it isn't completely filled (although reconfiguration might be required).

A: The Department of Transportation Building was never offered to the Office Space Planning Committee for consideration in the relocation of reorganized agencies.

Q: Morale is horrible. The class helped, but only briefly; the brown bag lunches are making it worse. The relocation is all people talk about. Hostility is growing; people formerly united will be enemies before any physical moves are completed. Do the decision makers realize how bad the situation is? Can they do something to help? Can the relocation decision be expedited, so we can put this behind us and go on to other things?

A: On September 6, Governor Racicot directed that agencies proceed with relocation in accordance with the Depart-

ment of Administration's recommendation, Option A1. In his decision memorandum, the governor stated:

"Clearly not every accommodation can be made to meet the expectations and desires of each agency and every employee. Just as clearly there will be a necessity for some agencies to sacrifice individual preferences for the best interest of state government as a whole."

Q: Five federal employees (of the U.S. Army Corps of Engineers) are located in the Metcalf Building, tied into the DNRC computer system, etc. How is the Office Space Planning Committee dealing with their situation?

A: The affected persons have now been advised that Option A1 was chosen; that office space will likely not be available in the Metcalf Building, the USF&G Building, or the New York Store location; and that they should start looking for a different site. At this time, we are still trying to locate enough space to meet DNRC's needs.

Submit your questions about reorganization to Carole Massman in the Metcalf Building in person (office on lower level), in writing (P.O. Box 2301, Helena, MT 59620-2301), via E-Mail, or via the telephone (406 444-6737; leave a voice mail message if she's not at her desk).

EMPLOYEE EXCELLENCE AWARD

Tim Kuehn

Congratulations to Tim Kuehn! On September 27 Tim received the Governor's Award for Excellence in Performance.

Tim is a project manager in our Water Resources Division. The award recognizes his role in transferring ownership of 12 canal projects from the state to water users associations, as mandated by the legislature. Tim's skill, personal dedication, hard work, and steadfast commitment were critical in accomplishing this monumental task within tight time frames.

Each year outstanding employees are nominated by various departments for the Governor's Award in recognition of their achievements in such areas as leadership, productivity, cost savings, attainment of objectives, and courteous service. We are fortunate to have many outstanding employees in the department and are proud that Tim represents DNRC well in 1995.



Photo by Jim Bond

—LOGO CONTEST—

Thirteen creative employees nominated 23 draft designs in the contest for a logo to represent the new DNRC.

The Leadership Team had a difficult time selecting from these fine entries. Photocopies of all submissions were presented at its meeting on September 14; the names of the persons nominating the various proposed logos were not revealed.

Congratulations to winner Ross Campbell! Ross, a graphic design specialist in the Information Services Section, will enjoy dinner for two at a restaurant in the Helena area.

Ross is now refining his design as requested by the Leadership Team. We plan to show the winning design in the next issue of *DNRConversation*.

Thanks to all of you for your efforts!

—DNRC PROPERTY SOON TO BE MERGED INTO ONE SYSTEM—

According to Bruce Swick, department property coordinator, DNRC is in the early stages of merging the systems used by the former DSL and the old DNRC to account for and track capital equipment (PAMS). Lloyd Harrison, Debbie Walter, Ella Vonada, and Bruce have been meeting to develop the plan. The department is working with the Department of Administration to coordinate the transfer of existing equipment.

To add new equipment to the inventory, submit the purchase order and/or invoice number along with the make, model, and serial number to Lloyd Harrison. He will complete the property documents and forward

the property inventory sticker to you. Likewise, all transfers of property and equipment being moved from one inventory location to another should be processed through Lloyd. Transfer forms are available from Lloyd upon request.

These inventory procedures will be new to some employees, but Lloyd and Debbie will be working together to minimize any problems. New procedures will soon be available in an updated property inventory manual. Policy questions should be directed to Bruce and procedural questions to Lloyd.

Persons with disabilities who need an alternative, accessible format of this document should contact DNRC at the address below. Phone 406 444-6700 / fax 406 444-6721 / TDD 406 444-6873.

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MONTANA DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION
1520 East Sixth Avenue
P.O. Box 202301
Helena, MT 59620-2301

